



CITY UTILITIES COMMITTEE
REGULAR COMMITTEE MEETING

~Minutes~

Atlanta City Hall
55 Trinity Avenue
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Alex Wan

Santana K. Wright
(404) 330-6579
skempson@atlantaga.gov

Tuesday, January 24, 2017

9:30 AM

Committee Room 1

A. CALL TO ORDER

The regularly scheduled meeting of the **City Utilities Committee** was held on **Tuesday, January 24, 2017**, at **9:30 AM** in **Committee Room 1**. The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Alex Wan	Chair	Present	9:27 AM
Natalyn Mosby Archibong	Councilmember, District 5	Present	9:31 AM
Howard Shook	Councilmember, District 7	Present	9:33 AM
Yolanda Adrean	Councilmember, District 8	Present	9:29 AM
Clarence "C. T." Martin	Councilmember, District 10	Present	9:22 AM
Joyce Sheperd	Councilmember, District 12	Absent	
Carla Smith	Councilmember, District 1	Present	9:32 AM

Others in Attendance:

Deputy COO/Interim Commissioner William Johnson, Deputy Commissioner Larry King, **DPW**; Commissioner Kishia Powell, Deputy Commissioners Mohamed Balla, Jay Ash, R. T. Parker, Rob Bacarro and Quinn Jackson and Administrative Officer Andrada Butler, **DWM**; Stefanie Grant, **Law**; Katrina Taylor Parks, **Office of Mayor**; members of the public, media and Council staff.

C. ADOPTION OF AGENDA

Agenda has been amended and adopted for one (1) walk-in

D. APPROVAL OF MINUTES

Approved

E. PUBLIC COMMENT PERTAINING TO ITEMS ON THE AGENDA (3 MINUTES)

1. Steve Williams
2. Bro. Muhammad
3. Kyle Kessler

F. COMMITTEE GOALS AND OBJECTIVES

The Committee discussed 2017 Goals and Objectives and plans to adopt the finalized version at the February 14, 2017 meeting.

REGULAR

G. ORDINANCES FOR SECOND READING

17-O-1029 (1) - AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD AS **SUBSTITUTED BY CITY UTILITIES COMMITTEE** AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 4 WITH GEORGIA WASTE SYSTEMS, INC. D/B/A WASTE MANAGEMENT OF ATLANTA, FOR FC-5035A, ANNUAL CONTRACT FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS, TO EXTEND THE TERM OF THE AGREEMENT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT TO EXCEED TWELVE (12) MONTHS IN AN AMOUNT NOT TO EXCEED THREE MILLION, ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$3,100,000.00); TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE VARIOUS FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS LISTED; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next:
1/25/2017 1:00 PM

MOVER: Clarence "C. T." Martin, Councilmember, District 10

SECONDER: Howard Shook, Councilmember, District 7

AYES: Wan, Archibong, Shook, Adrean, Martin, Smith

ABSENT: Sheperd

MOTION TO BRING FORTH THE SUBSTITUTE

RESULT: APPROVED [UNANIMOUS]

MOVER: Clarence "C. T." Martin, Councilmember, District 10

SECONDER: Yolanda Adrean, Councilmember, District 8

AYES: Wan, Archibong, Shook, Adrean, Martin, Smith

ABSENT: Sheperd

Keith Brooks

17-O-1030 (2) - AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD AS **AMENDED BY CITY UTILITIES COMMITTEE** AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 6 WITH ADVANCED DISPOSAL SERVICES ATLANTA, LLC FOR FC-5035C, ANNUAL CONTRACT FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS, TO EXTEND THE TERM OF THE AGREEMENT ON A MONTH-TO-MONTH BASIS FOR A PERIOD NOT TO EXCEED TWELVE (12) MONTHS IN AN AMOUNT NOT TO EXCEED SIX MILLION, FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$6,585,000.00); TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X OF THE PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE VARIOUS FUND DEPARTMENT

ORGANIZATION AND ACCOUNT NUMBERS LISTED; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE/AMENDED [UNANIMOUS] **Next:**
1/25/2017 1:00 PM
MOVER: Clarence "C. T." Martin, Councilmember, District 10
SECONDER: Carla Smith, Councilmember, District 1
AYES: Wan, Archibong, Shook, Adrean, Martin, Smith
ABSENT: Sheperd

MOTION TO AMEND

RESULT: APPROVED [UNANIMOUS]
MOVER: Carla Smith, Councilmember, District 1
SECONDER: Clarence "C. T." Martin, Councilmember, District 10
AYES: Wan, Archibong, Shook, Adrean, Martin, Smith
ABSENT: Sheperd

- 17-O-1034 (3) - AN ORDINANCE BY COUNCILMEMBER MICHAEL JULIAN BOND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON A PORTION OF RHODES STREET BETWEEN NORTHSIDE DRIVE N.W. AND ELECTRIC AVENUE N.W. CONSISTING OF X.XXX ACRES AND POSTELL STREET BETWEEN RHODES STREET AND CARTER STREET CONSISTING OF X.XXX ACRES BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT 83 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA TO MARTA; AND FOR OTHER PURPOSES.

RESULT: HELD IN COMMITTEE [UNANIMOUS] **Next:**
2/6/2017 1:00 PM
MOVER: Clarence "C. T." Martin, Councilmember, District 10
SECONDER: Carla Smith, Councilmember, District 1
AYES: Wan, Archibong, Shook, Adrean, Martin, Smith
ABSENT: Sheperd

Katrina Taylor Parks
Stefanie Grant

- 17-O-1040 (4) - AN ORDINANCE BY COUNCILMEMBER CLETA WINSLOW AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ESTABLISH A SCHEDULE OF FEES FOR THE PLACEMENT OF SMALL CELL ANTENNAS IN THE PUBLIC RIGHT OF WAY; AND FOR OTHER PURPOSES.

RESULT: HELD IN COMMITTEE [UNANIMOUS] **Next:**
2/6/2017 1:00 PM
MOVER: Clarence "C. T." Martin, Councilmember, District 10
SECONDER: Yolanda Adrean, Councilmember, District 8
AYES: Wan, Archibong, Shook, Adrean, Martin, Smith
ABSENT: Sheperd

William Johnson

H. PAPERS HELD IN COMMITTEE

- 14-O-1241 (5) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 130, ("SOLID WASTE MANAGEMENT"), ARTICLE II, ("MUNICIPAL COLLECTION AND DISPOSAL SYSTEM"), DIVISION 1, ("GENERALLY") AT SECTION 130-44 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PERMITTING SYSTEM FOR COMMERCIAL SOLID WASTE COLLECTION AND HAULING SERVICES BY PRIVATE SERVICE PROVIDERS WITHIN THE CITY OF ATLANTA; TO IMPOSE APPLICATION FEES, PERMIT FEES AND INFRASTRUCTURE MAINTENANCE FEES; TO ESTABLISH WASTE STREAM REPORTING REQUIREMENTS; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO CREATE THE ACCOUNTS NECESSARY TO PLACE SAID INFRASTRUCTURE MAINTENANCE FEE IN A RESERVE FOR INFRASTRUCTURE MAINTENANCE EXPENSES; AND FOR OTHER PURPOSES.

(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 14-O-1242 (6) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AMENDING CHAPTER 138, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE III, "CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY", AT SECTION 138-69 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO ESTABLISH A PAVEMENT DEGRADATION RECOVERY FEE TO BE CHARGED TO THE APPLICANT FOR CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY PERMITS; AND FOR OTHER PURPOSES.

(Public Hearing held 5/27/14) (Held 5/27/14 to be reviewed by the NPUs)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 15-O-1148 (7) - AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 "ENVIRONMENT", ARTICLE VI "FLOOD AREA REGULATIONS", AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.

(Held 4/28/15 for a work session)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 15-O-1369 (8) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2016 WATER AND WASTEWATER RENEWAL AND EXTENSION FUND (5052) BUDGET IN THE AMOUNT OF ONE MILLION, FOUR HUNDRED SIXTY-EIGHT THOUSAND, SEVEN HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$1,468,731.00) TO TRANSFER FUNDS FROM THE WATERSHED RESERVE FOR APPROPRIATIONS AND ADD FUNDS TO THE LISTED CUSTER AVENUE CSO CONTROL FACILITY PROJECT; AND FOR OTHER PURPOSES.

(Held 9/15/15) (Held at the request of the Department)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 15-O-1431 (9) - AN ORDINANCE BY COUNCILMEMBER MARY NORWOOD AS **SUBSTITUTED BY CITY UTILITIES COMMITTEE** TO AMEND CHAPTER 130 "SOLID WASTE MANAGEMENT," ARTICLE III "MUNICIPAL COLLECTION AND DISPOSAL SYSTEMS," DIVISION 1 "GENERALLY," SECTION 130-84 "RATES AND CHARGES" IN ORDER TO DELETE SUBSECTION 8 "VACANT PARCELS"; AND FOR OTHER PURPOSES.

(Substituted and Held 9/29/15) (Held at the request of the Department for additional review)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 15-O-1562 (10) - AN ORDINANCE BY COUNCILMEMBERS IVORY LEE YOUNG, JR. AND NATALYN ARCHIBONG AS **AMENDED BY CITY UTILITIES COMMITTEE** AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO AN ENCROACHMENT AGREEMENT WITH THE ATLANTA BICYCLE COALITION FOR THE PURPOSE OF INSTALLING A BICYCLE CORRAL NEAR 1984 HOSEA L. WILLIAMS DRIVE, N.E., ATLANTA, GEORGIA; TO WAIVE THE \$1,300.00 PERMIT FEE REQUIRED IN SECTION 138-20(A) OF THE CODE OF ORDINANCES; AND FOR OTHER PURPOSES .

(Held 12/1/15)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-O-1183 (11) - AN ORDINANCE BY COUNCILMEMBER IVORY LEE YOUNG JR., AUTHORIZING THE RENAMING OF MOREHOUSE DRIVE, N. W. FROM MORRIS BROWN AVENUE TO SPELLMAN STREET TO REVEREND R.B. SUTTON PLACE BY AND THROUGH ACTIONS OF THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS OR HIS DESIGNEE; AND FOR OTHER PURPOSES.

(Held 4/26/16) (Held for a Public Hearing)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-O-1417 (12) - AN ORDINANCE BY CITY UTILITIES COMMITTEE TO AMEND CHAPTER 138 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE III "CONSTRUCTION OR EXCAVATION IN THE RIGHT-OF-WAY," SECTION 138-72, "BUILDING ADJOINING VIADUCT, BRIDGE OR TUNNEL." OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO INCREASE THE MINIMUM SPACE TO BE LEFT OPEN BETWEEN A SIDEWALK AND BRIDGES, VIADUCTS, AND OTHER STRUCTURES FROM ONE (1) INCH TO TWENTY (20) FEET FOR MAINTENANCE ACTIVITIES, DEMOLITION AND CONSTRUCTION OF NEW OR REPLACEMENT STRUCTURES, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS; AND FOR OTHER PURPOSES.

(Held 8/23/16 at the request of the Department)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-O-1425 (13) - AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE TO ABANDON THAT PORTION OF ADAMS DRIVE, N.W., LOCATED

IMMEDIATELY SOUTH OF MARIETTA BOULEVARD, N.W., CONSISTING OF 11,476 SQUARE FEET, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOT 230 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

(Held 8/23/16 for a tentative Public Hearing scheduled on 9/27/16)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-O-1599 (14) - AN ORDINANCE BY COUNCILMEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG **AS SUBSTITUTED BY THE CITY UTILITIES COMMITTEE** AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT BETWEEN THE CITY OF ATLANTA AND COMCAST OF GEORGIA, LLC, FOR THE PURPOSE OF RENEWING THE CABLE FRANCHISE GRANTED FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, AND MAINTENANCE OF A CABLE COMMUNICATIONS SYSTEM WITHIN THE CITY; AND FOR OTHER PURPOSES.

(Held 10/25/16 at the request of the Department) (Substituted and Held 11/15/16)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-O-1681 (15) - AN ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ABANDON A PORTION OF QUEEN STREET N.W. BETWEEN DUNSEATH AVENUE N.W. AND LA DAWN LANE N.W. CONSISTING OF 0.902 ACRES AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A", LYING AND BEING IN LAND LOTS 221 AND 230 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA TO WESTSIDE VILLAGE ATLANTA LLC; AND FOR OTHER PURPOSES.

(Held 12/13/16 for notification and a Public Hearing)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 15-R-3614 (16) - A RESOLUTION BY COUNCILMEMBERS MICHAEL JULIAN BOND AND CLETA WINSLOW AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE IN THE AMOUNT OF FIFTY THOUSAND (\$50,000.00) DOLLARS FROM THE 2015 MARTIN LUTHER KING DAY OF SERVICE GRANTS PROGRAM TO BE MATCHED WITH SEVENTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT (\$71,428.00) DOLLARS FROM THE DEPARTMENT OF WATERSHED MANAGEMENT TO ENCOURAGE COMMUNITY SERVICE IN CONJUNCTION WITH THE GRAYMONT DRIVE SEWER INFRASTRUCTURE THREAT AND FOR ENCOURAGING LONG TERM COMMUNITY SERVICE; AND FOR OTHER PURPOSES.

(Held 5/26/15 for further review)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-R-4262 (17) - A RESOLUTION BY COUNCILMEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG TO AUTHORIZE PAYMENT OF STIPULATED PENALTIES IMPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY ("EPA") AND THE ENVIRONMENTAL PROTECTION DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF

GEORGIA ("EPD") IN THE AMOUNT OF \$ AS STIPULATED PENALTIES FOR THE VIOLATION OF CSO FECAL COLIFORM OPERATIONAL STANDARDS _____ PURSUANT TO THE CSO CONSENT DECREE, CIVIL ACTION FILE NO. 1:95-CV-2550-TWT; TO IDENTIFY THE SOURCE OF FUNDING; AND FOR OTHER PURPOSES.

(Held 9/13/16 at the request of the Department)

RESULT: HELD IN COMMITTEE Next: 2/6/2017 1:00 PM

- 16-R-4756 (18) - A RESOLUTION BY COUNCILMEMBER JOYCE SHEPERD AUTHORIZING THE MAYOR TO ACCEPT THE DONATION OF OUTREACH AND EDUCATION SERVICES VALUED AT TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) FROM THE RECYCLING PARTNERSHIP FOR IMPROVING PARTICIPATION IN CURBSIDE RESIDENTIAL RECYCLING PROGRAMS; TO ACCEPT THE DONATION OF FORTY THOUSAND DOLLARS AND ZERO CENTS (\$40,000.00) IN FUNDS FROM THE RECYCLING PARTNERSHIP FOR EDUCATIONAL PURPOSES TOWARDS IMPROVING PARTICIPATION IN CURBSIDE RESIDENTIAL RECYCLING PROGRAMS; TO ENTER INTO A DONATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE RECYCLING PARTNERSHIP; AND FOR OTHER PURPOSES.

(Held 12/3/16)

RESULT: FAVORABLE [UNANIMOUS] Next: 2/6/2017 1:00 PM

MOVER: Clarence "C. T." Martin, Councilmember, District 10

SECONDER: Howard Shook, Councilmember, District 7

AYES: Wan, Archibong, Shook, Adrean, Martin, Smith

ABSENT: Sheperd

I. WALK-IN PAPER(S)

- 17-R-3105 (1) - A RESOLUTION BY CITY UTILITIES COMMITTEE REQUESTING THE COMMISSIONER OF THE DEPARTMENT OF WATERSHED MANAGEMENT DETERMINE THE CONDITIONS THAT OFTEN CREATE FLOODING IN THE UPPER SEGMENTS OF INDIAN CREEK AND DEVELOP POTENTIAL OPTIONS FOR MITIGATION; REQUESTING A SUMMARY REPORT BE PROVIDED TO THE CITY UTILITIES COMMITTEE WITHIN 90 CALENDAR DAYS OF ADOPTION OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS] Next: 2/6/2017 1:00 PM

MOVER: Howard Shook, Councilmember, District 7

SECONDER: Clarence "C. T." Martin, Councilmember, District 10

AYES: Wan, Archibong, Shook, Adrean, Martin, Smith

ABSENT: Sheperd

J. REQUESTED ITEMS

10/27/15

1. Councilmember Young requested a briefing on waste and energy facilities from the Department of Public Works. **The Department stated they would provide this update prior to the October 25, 2016 meeting.**

9/13/16

2. Councilmember Sheperd requested the Renew Atlanta Infrastructure Bond Program provide an update on the overall Master Plan efforts for Art.

9/27/16

3. Councilmember Wan requested the Administration provide when the Fiscal Year 16 and Fiscal Year 17 budgeted amounts were paid to PeopleTV. He also requested how much these payments were.

1/10/17

4. Councilmember Archibong requested the Department of Watershed Management provide an update on their efforts to reduce or waive the convenience fee. The Department is currently conducting an analysis and can provide an update within the next 90 days (**due by April 25, 2017 meeting**).

1/24/17

5. Councilmember Wan requested the Department of Public Works provide a summary of NPU positions received for 17-O-1040 (Small Cell Antenna Fee) at the February 28, 2017 Public Hearing.

K. COMMENTS FROM THE PUBLIC (2 MINUTES)

1. Bro. Muhammad
2. Ron Shakir

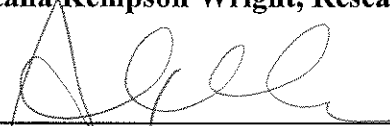
L. ADJOURNMENT

There being no further business to come before the City Utilities Committee the meeting was adjourned at

Respectfully submitted:


David Johnson for Angela Campbell, Legislative Assistant


Santana Kempson Wright, Research & Policy Analyst


The Honorable Alex Wan, Chair